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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,016	06/20/2000	Liang Hong	1999-0341B (STG207)	6072

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EXAMINER	
LY, NGHI H	

ART UNIT	PAPER NUMBER
2686	13

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/597,016	HONG ET AL.	
	Examiner	Art Unit	
	Nghi H. Ly	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 26 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Canada et al (US 6,301,514).

Regarding claim 26, Canada teaches a polling method for use in communicating information from a plurality of wireless transceiver units to a wireless base unit (see fig.1 and see fig.2, antenna 406 for wireless connection), the wireless transceiver units and wireless base unit having a broadcast channel available there between (also see fig.1), the polling method comprising: sending an information request message over a broadcast channel for receipt by a plurality of wireless transceiver units (see column 10, lines 36-57), and receiving information from each available wireless transceiver unit at random points in time (see column 14, lines 14-17, see "at any time") over a shared channel (see column 11, lines 48-51) in response to sending the information request message (see column 9, lines 30-43).

Regarding claim 27, Canada further teaches the information comprises status information (see column 10, lines 36-44).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 8-11, 15-17 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160).

Regarding claims 1, 9, and 28, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see column 1 lines 15-23), the polling method comprising: receiving an information request message over a wireless communication channel (see column 9, lines 30-43 and column 10 lines 36-57), sending information in response to the information request message (also see column 10 lines 36-57).

Canada does not specifically disclose repeating the receiving and sending on a regular basis.

Fiorletta teaches repeating the receiving and sending on a regular basis (see column 8, lines 62-67, column 14, lines 4-10 and column 9, lines 57-61).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Fiorletta into the system of Canada

so that transmit and listen intervals occurring periodically and information can be updated.

Regarding claims 2 and 10, the combination of Canada and Fiorletta further teaches initiating the repeated receiving and sending in response to a detected problem (see Fiorletta, column 8, lines 62-67, column 14, lines 4-10 and column 9, lines 57-61).

Regarding claims 3 and 11, the combination of Canada and Fiorletta further teaches detecting a problem, sending a problem detection message in response to detecting the problem, and initiating the repeated receiving and sending in response to the problem detection message (see Fiorletta, column 8, lines 62-67, column 14, lines 4-10 and column 9, lines 57-61).

Regarding claims 8 and 17, Canada further teaches the information request message comprises data indicative of a requested information type and the information sent corresponds to the requested information type (see column 9 lines 30-43).

Regarding claim 15, Canada further teaches receiving the information from each one of the wireless transceiver units at random points in time (see abstract, "the system is communicating at any given time").

Regarding claim 16, Canada further teaches sending the polling request message comprises broadcasting it for receipt by a plurality of wireless transceiver units (see column 9, lines 30-43), the polling method further comprising: receiving information from each one of the wireless transceiver units at random points in time over a shared channel (see column 14, lines 14-17).

5. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Jones (US 5,809,311).

Regarding claims 5 and 14, Canada teaches detecting that a power failure has occurred (see column 14 lines 53-57).

Canada does not specifically disclose initiating the repeated receiving and sending in response to detecting that the power failure has occurred.

Jones teaches initiating the repeated receiving and sending in response to detecting that the power failure has occurred (see column 10, lines 34-38 and column 13 lines 1-9).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Jones into the system of Canada in order to provide a polling method during a power outage.

6. Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Serikawa et al (US 6,347,092).

Regarding claim 18, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see abstract and column 1, lines 15-23), the polling method comprising: detecting that a power failure involving a wireless transceiver unit has occurred (see column 16, lines 18-48) and polling the wireless transceiver unit for information in response to detecting that the power failure has occurred (also see column 16, lines 18-48).

Canada does not specifically disclose tearing down a data traffic channel used by the transceiver unit in response to detecting.

Serikawa teaches tearing down a data traffic channel used by the transceiver unit in response to detecting (see column 36, lines 49-58 and see column 19, lines 17 to column 20, lines 1).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Serikawa into the system of Canada in order to prevent collision (see Serikawa, column 36, lines 49-58).

Regarding claim 19, Canada further teaches polling comprises polling for information on a periodic basis (see column 16, lines 18-22).

Regarding claim 20, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit over a control channel (see column 9, lines 30-43 and column 10, lines 45-57).

Regarding claim 21, Canada further teaches polling comprises sending an information request message (see column 9, lines 30-43) to the wireless transceiver unit and receiving information from the wireless transceiver unit, if available, in response to sending the information request message (see column 10, lines 36-44).

7. Claims 4, 12, 13, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Cormier et al (US 3,688,274).

Regarding claims 13 and 22, Canada teaches a polling method for use in communicating information from a plurality of wireless transceiver units to a wireless

base unit (see fig.1 and see column 10, lines 21-56), the wireless transceiver units and wireless base unit having one or more data traffic channels available for communicating high speed data there between (see fig.1).

Canada does not specifically disclose detecting, on a data traffic channel, a communication failure involving a wireless transceiver unit, and polling the wireless transceiver unit for information in response to detecting the communication failure on the data traffic channel.

Cormier teaches detecting, on a data traffic channel, a communication failure involving a wireless transceiver unit, and polling the wireless transceiver unit for information in response to detecting the communication failure on the data traffic channel (see column 8, lines 11-22).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Cormier into the system of Canada so that the channel and control unit can jointly re-execute a command at the beginning of a CCW (see Cormier, column 8, lines 23-26).

Regarding claims 4 and 12, the combination of Canada and Cormier further teaches detecting a communication failure on a data traffic channel, and initiating the repeated receiving and sending in response to detecting the communication failure (see (see Cormier, column 8, lines 11-22).

Regarding claim 23, Canada further teaches polling comprises polling for information on a periodic basis (see column 16, lines 18-22).

Regarding claim 24, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit over a control channel (see column 9, lines 30-43 and column 10 lines 45-57).

Regarding claim 25, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit; and receiving information from the wireless transceiver unit, if available, in response to sending the information request message (see column 9, lines 30-43 and column 10, lines 36-44).

8. Claims 6, 7 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Charmoff (US 4,266,271).

Regarding claims 29 and 31, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see fig.1), the polling method comprising: receiving an information request message over a broadcast channel (see column 9, lines 30-43 and column 10 lines 45-57), delaying for a time in response to receiving the information request message (see column 14, lines 23-31), and sending information corresponding to the information request message (see column 9, lines 30-43) over a shared channel after delaying (see column 12, lines 47-51).

Canada does not specifically disclose delaying for a random period of time in response to receiving the information request message and sending information corresponding to the information request message over a shared channel after delaying for the random period of time.

Chamoff teaches delaying for a random period of time in response to receiving the information request message (see column 34, lines 9-17) and sending information corresponding to the information request message after delaying for the random period of time (also see column 34, lines 9-17).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Charmoff into the system of Canada in order to execute a random time delay routine which will delay the station's next response and prevent transmit at the same time.

Regarding claims 6 and 7, the combination of Canada and Charmoff further teaches delaying a random period of time prior to sending the information (see Charmoff, column 34, lines 9-17).

Regarding claims 30, Canada further teaches the information comprises status information (see column 10, lines 36-44 and column 15, lines 37-40).

Response to Arguments

9. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

In light of applicant's arguments with respect to the rejection under Election/Restrictions, the examiner hereby withdraws the rejection under Election/Restrictions as stated in the previous Office action (dated 01/07/2004).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

04/17/04

CHARLES APPIAH
PRIMARY EXAMINER